

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 N/S Susquehanna Ave., 35 ft.
 E of c/l Middle River Road * ZONING COMMISSIONER
 1208 Susquehanna Avenue
 15th Election District * OF BALTIMORE COUNTY
 5th Councilmanic District
 Gregory A. McKibbin, et ux * Case No. 95-362-A
 Petitioners
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1208 Susquehanna Avenue, a water front property adjacent to Frog Mortar Creek in eastern Baltimore County. The Petition is filed by Gregory A. McKibbin and Nancy L. McKibbin, his wife, property owners. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a minimum side yard of 5 ft. and a total side yard of 17 ft., in lieu of the required side yard of 10 ft., and a total side yard of 25 ft. Also requested is approval of an undersized lot and any variances which may be necessary in the discretion of the Zoning Commissioner for proposed construction. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the public hearing held for this case were the Petitioners/property owners, Gregory A. McKibbin and Nancy L. McKibbin, his wife. Appearing in support of the Petition was Paul Lee, the Engineer who prepared the site plan. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is a rectangularly shaped parcel known as lot No. 38, 215 Susquehanna Avenue in Middle River. The property is also known as No. 1208 Susquehanna Avenue.

ORDER RECEIVED FOR FILING
 Date *7/25/95*
 By *M. H. [Signature]*

[Handwritten scribble]

The property is .307 acres in area and is zoned D.R.3.5. As is the case with much of the waterfront property in Baltimore County, this property was developed many years ago and the subdivision in which the site is located is quite old. The property is presently developed by an existing 1-1/2 story dwelling which is shown on both the site plan and in photographs submitted at the hearing. Access is also provided to Frog Mortar Creek by a wooden pier which extends from the water side of the property. The property also contains an existing stone driveway which leads from Susquehanna Avenue and a small wood shed.

Apparently, the house is quite old and in need of repair. The Petitioners propose razing the house and constructing a new dwelling in its place. The house will be located in the same area as the existing dwelling.

The Petitioners believe that the construction of the new dwelling will be an improvement to the site. I agree. Moreover, the Petitioners note that the lot is very narrow (approximately 40 ft.). Strict adherence to the regulations would permit a house of just 15 ft. in width. The area of the lot is sufficient in that same is very deep (303 ft.).

The Petition has been approved by the member agencies of the Zoning Plans Advisory Committee. The Office of Planning and Zoning (OPZ) recommends approval of the variance and notes that the elevation and architectural drawings submitted show that the proposed dwelling is compatible with other residences in the area. The Department of Environmental Protection and Resource Management (DEPRM) notes that it is their intent to grant the necessary variance from environmental regulations to allow this residential redevelopment. The plan has been amended to confirm the proposal to DEPRM's recommendations. The Developer's Engineering Division

7/1/95
M. Hook

has also reviewed the proposal and advises that any building must have an elevation of 1 ft. above the 100 year frequency tidal elevation, pursuant to Federal Flood Insurance Administration Standards. The Petitioners indicated that the issues raised by DEPRM and Developers Engineering Division would be satisfied.

Based on the testimony and evidence offered all of which was uncontradicted, I am persuaded to grant the Petition for Variance. Clearly, the Petitioners have met the test set forth in Section 307. The narrowness of the lot makes strict compliance with the regulations impossible. The Petitioners' proposal present an opportunity for a real upgrade to the site and the community. I concur with OPZ's assessment that the grant of the variance is appropriate. For these reasons, the Petition will be approved.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of July, 1995 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a minimum side yard of 5 ft. and a total side yard of 17 ft., in lieu of the required side yard of 10 ft., and a total side yard of 25 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance for the approval of an under-sized lot, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

7/5/95
M. H. H. H.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 5, 1995

Mr. and Mrs. Gregory L. McKibbin
1208 Susquehanna Avenue
Baltimore, Maryland 21220

RE: Case No. 95-362-A
Petition for Variance
Property: (215) 1208 Susquehanna Avenue

Dear Mr. and Mrs. McKibbin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

cc: Mr. Paul Lee, 304 W. Pennsylvania Avenue, Towson, Md. 21204

WILCOX

357

95-362-A



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at (#1208) 215 Susquehanna Avenue

which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 to permit a minimum side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet (A variance of 5 feet and 8 feet) and to approve an undersized lot, ~~as provided in Section 1B02.3.C.1 of the Code~~ *TO PERMIT A VARIANCE FROM ANY SECTION DEEMED NECESSARY BY THE ZONING COMMISSIONER.*

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property located in critical area and on a lot recorded in Nov. 1910. Existing 1½ story dwelling to be razed and a new 2 story dwelling will be built in the original location. Original dwelling location does not meet present setback requirements.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

~~XXXXXXXXXXXXXXXXXXXX~~ Engineer:

Paul Lee Engineering, Inc.
(Type or Print Name)

Signature

304 W. Pennsylvania Avenue
Address

Towson, MD 21204
City State Zipcode

Attorney for Petitioner
(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

Nancy L. Trinley McKibbin
(Type or Print Name)

Signature

NANCY L. Trinley McKibbin
(Type or Print Name)

Signature

1208
Susquehanna Avenue 335-8082
Address Phone No

Baltimore MD 21220
City State Zipcode
Name, Address, and phone number of representative to be contacted

Name

Address Phone No

OFFICIAL USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



Printed with Soybean Ink on Recycled Paper



JAM

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 95-367-A
Towson, Maryland

District: 15th Date of Posting: 5/7/95

Posted for: Variance

Petitioner: Nancy L. Trivley McKibbin

Location of property: 1705 Susquehanna Ave, N/S

Location of Signs: Facing roadway, on property being zoned.

Remarks: _____

Posted by: M. Stedman Date of return: 5/12/95
Signature

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-362-A (Item 357)
1208 Susquehanna Avenue, N/S Susquehanna Avenue, 35' E of Middle River Road
15th Election District
5th Councilmanic
Legal Owner:
Nancy L. Trintley
McKibbin
HEARING: TUESDAY,
MAY 23, 1995 at 9:00 a.m.
in Rm. 118, Old Courthouse.

Variance: to permit a minimum side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet; to permit a variance from any section deemed necessary by the zoning commissioner; and to approve an undersized lot.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped accessible; for special accommodations Please Call 887-3953.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

4/292 April 27.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/20, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/27, 1995.

THE JEFFERSONIAN,

A. Henriksen
LEGAL AD. - TOWSON



Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt
 95-362-A

CRITICAL
 AREA

Account: R-001-6150

Number 357
 By JLL

Date

4/13/95

RES VAR FILING CODE 010 \$ 50.00
 1 SIGN POSTING " " 080 \$ 35.00
TOTAL 85.00

McKIBBIN

1208 SUSQUEHANNA AVE.

APPROVED (signature)

BY AUTHORIZED PERSON
 OF BALTIMORE COUNTY

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 357

Petitioner: NANCY MCKIBBIN

Location: 1208 SUSQUEHANNA AVE BALTIMORE, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: NANCY MCKIBBIN

ADDRESS: 1208 SUSQUEHANNA AVE BALTIMORE MD 21220

PHONE NUMBER: 335-8082

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
April 21, 1995 Issue - Jeffersonian

Please forward billing to:

Nancy McKibbin
1208 Susquehanna Avenue
Baltimore, MD 21220
335-8082

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-362-A (Item 357)
1208 Susquehanna Avenue
N/S Susquehanna Avenue, 35' E of c/l Middle River Road
15th Election District - 5th Councilmanic
Legal Owner: Nancy L. Trinley McKibbin
HEARING: TUESDAY, MAY 23, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a *minimum* side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet; to permit a variance from any section deemed necessary by the zoning commissioner; and to approve an undersized lot.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Handwritten signature or initials

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 21, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-362-A (Item 357)
1208 Susquehanna Avenue
N/S Susquehanna Avenue, 35' E of c/l Middle River Road
15th Election District - 5th Councilmanic
Legal Owner: Nancy L. Trinley McKibbin
HEARING: TUESDAY, MAY 23, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a minimum side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet; to permit a variance from any section deemed necessary by the zoning commissioner; and to approve an undersized lot.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: Nancy L. Trinley McKibbin
Paul Lee

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
May 3, 1995

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #357 - McKibbon Property
215 Susquehanna Avenue
Zoning Advisory Committee Meeting of April 24, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

It is the intent of this Department to grant a variance to allow the proposed, residential redevelopment within the 100 foot shoreline buffer. The plot plan to accompany the future permit application must reflect all conditions placed on the development in accordance with said variance.

[Handwritten signature]

Ground Water Management

Approval for replacement of 2 story house to be made by Ground Water Management predicated on the following conditions:

1. Replace new septic system consisting of;
 - 1500 gallon top seam concrete septic tank;
 - distribution box;
 - shallow tile field consisting of 2 - 65' long, 3' wide, 42" deep trenches;
 - sufficient fill to be placed over tile field to divert stormwater during rain event.
2. Existing septic tank, dry well and dug well to be backfilled and abandoned.
3. Install pressure reduction valve on public water service connection with maximum operating pressure of 60 p.s.i.
4. Water service line to be sleeved at any point within 50' of drain field.

JLP:PF:RP:sp

MCKIBBON/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: May 4, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
 for May 1, 1995
 Item No. 357

The Developers Engineering Section has reviewed the subject zoning item. This site is located adjacent to the 100-year tidal flood plain; therefore, the lowest floor of any building must be elevation 1 foot above the 100-year frequency tidal elevation as defined by the Federal Emergency Management Agency, Flood Insurance Administration's Flood Insurance Study.

RWB:sw

MICROFILMS

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/25/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 24, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 352, 354, 355, 356, 357,
358, 359 AND 360.

RECEIVED

APR 27 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4281, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-21-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 357 (JLL)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

**PETITION PROBLEMS
AGENDA OF APRIL 24, 1995**

#355 --- JCM

1. No zoning indicated on top of petition form.

#356 --- JLL

1. Zip code is indicated on top of petition form instead of zoning.

#357 -- JLL

1. Is correct address 1208 or 215?? Petition form says "(#1208) 215
Susquehanna Avenue.

#358 --- JLL

1. No authorization indicated for attorney to sign for contract purchaser.

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: April 13, 1995

TO: Hearing Officer

FROM: John L. Lewis
Planner II, ZADM

SUBJECT: Item #357
1208 Susquehanna Avenue

Applicant advised of flood plain requirements. They are already aware of this and working toward compliance.

Due to undersize lot approval (existing dwelling to be removed creating this requirement), I suggested inclusion of broad variance authority request to hearing officer as discussed earlier with zoning commissioner on this issue in general.

JLL:scj

MICROFILMED

RE: PETITION FOR VARIANCE
1208 Susquehanna Avenue, N/S Susquehanna
Avenue, 35' E of c/l Middle River Road
15th Election District, 5th Councilmanic

Nancy L. Trinley McKibbin
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 95-362-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to Nancy L. Trinley McKibbin, 1208 Susquehanna Avenue, Baltimore, MD 21220, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

GREGORY A McKibbin

1208 SUSQUEHANNA AVE. 21220

Nancy L. McKibbin

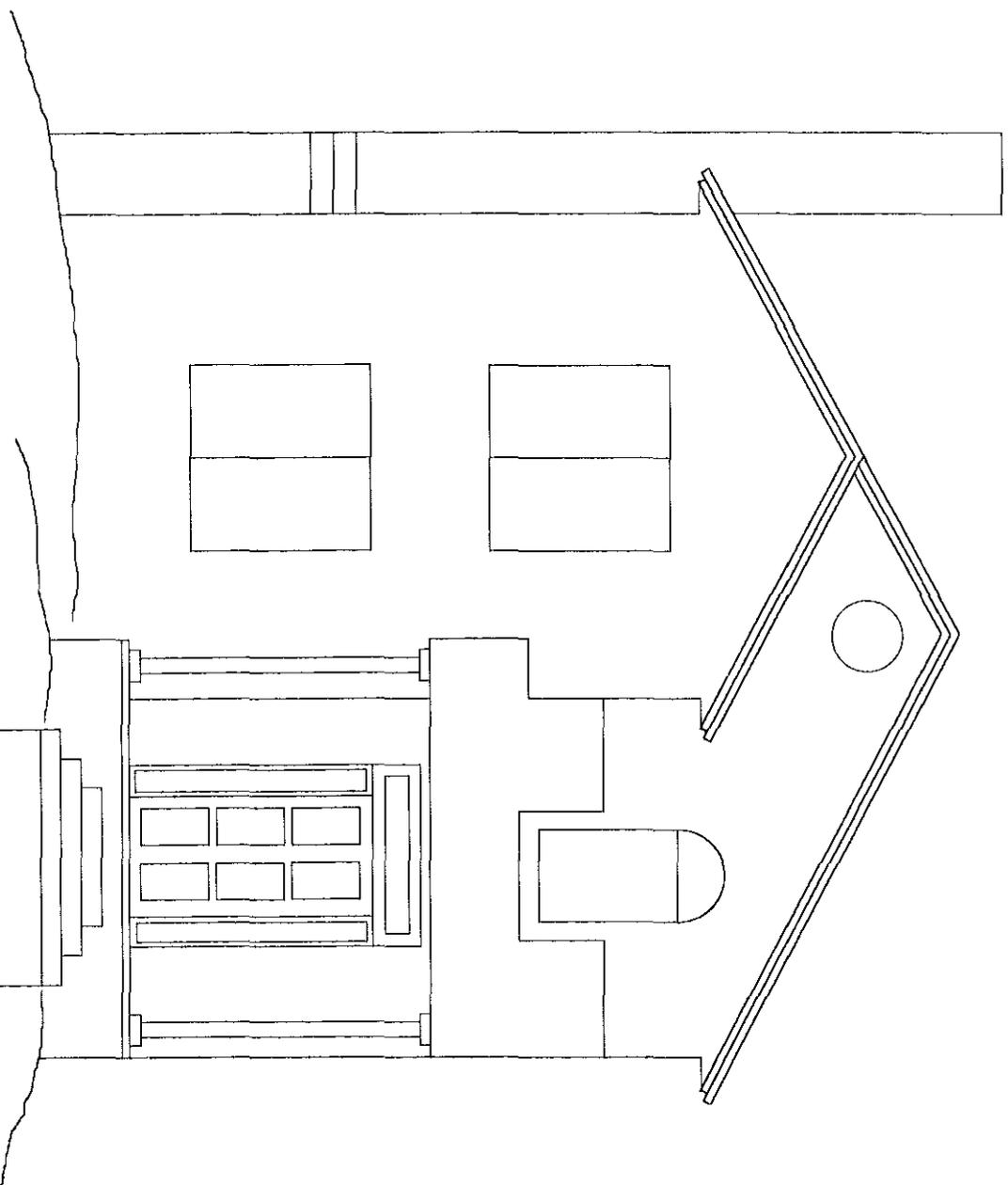
1208 SUSQUEHANNA AVE 21220

Paul Lee

304 W. Penna Ave 21204

6

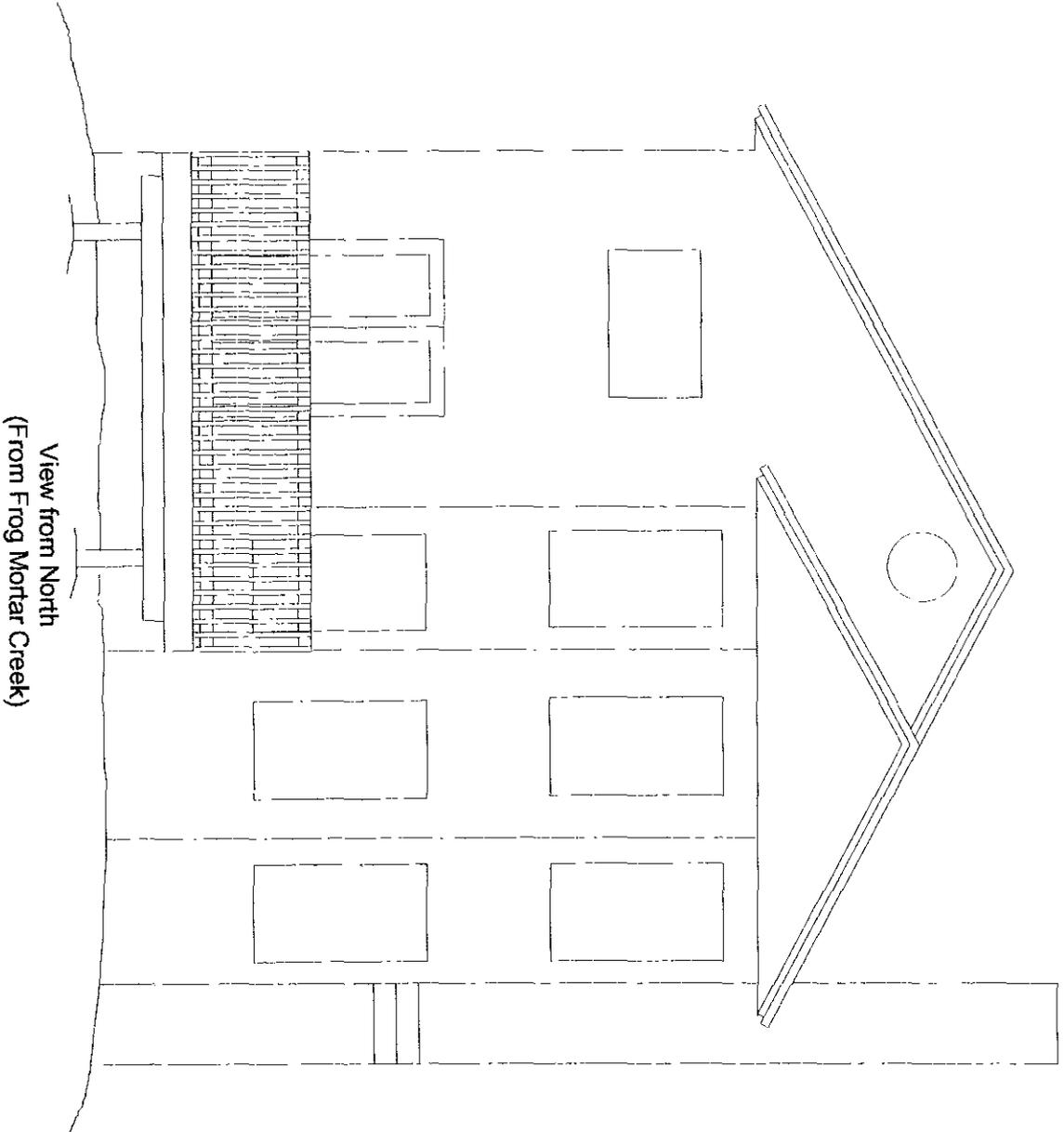




View from South
(From Susquehanna Ave)

SUSQUEHANNA AVE
FRONT VIEW

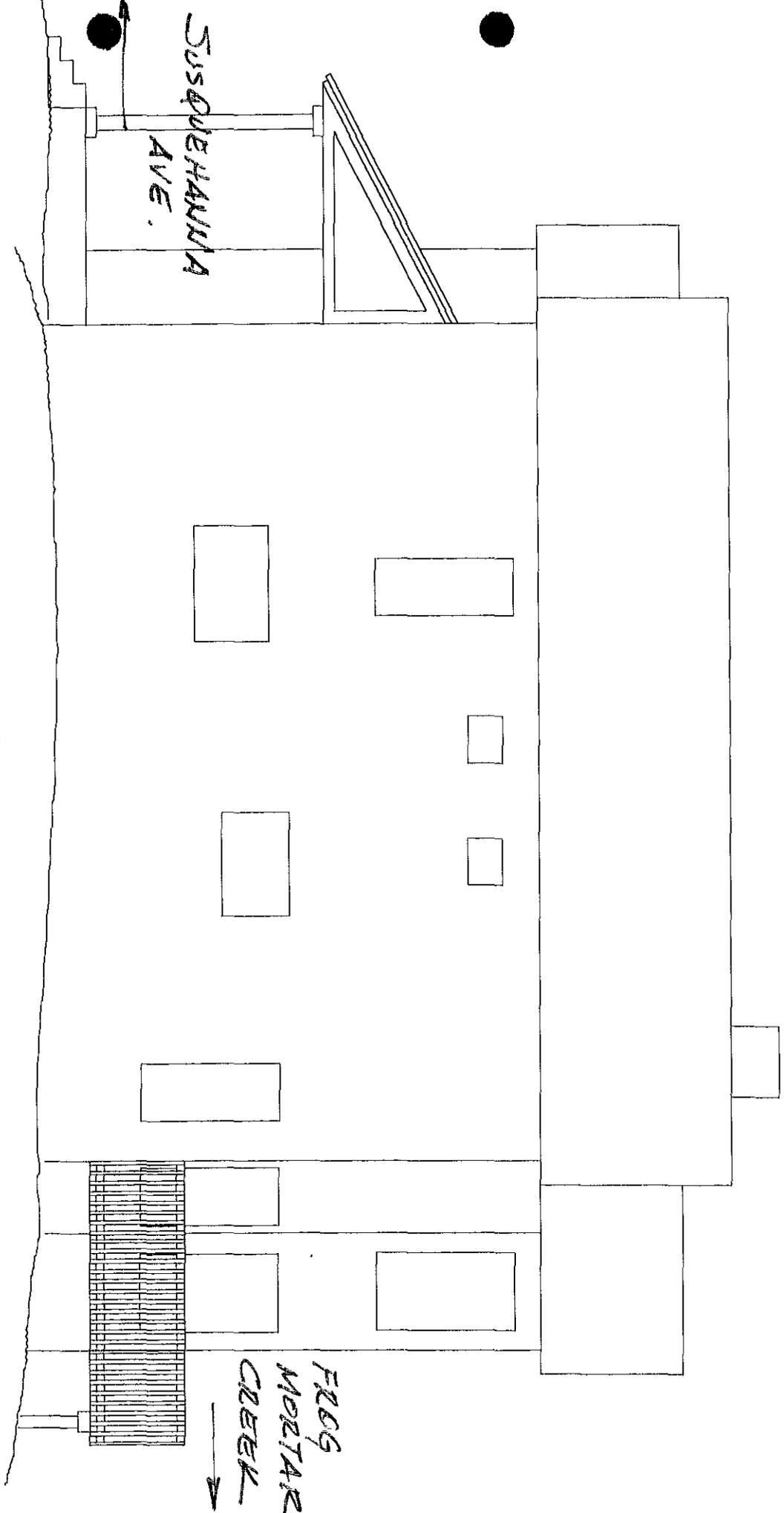
104984122-011



View from North
(From Frog Mortar Creek)

FROG MORTAR CREEK
REAR VIEW

[Faint handwritten text]



SUSQUEHANNA
AVE.

View from East

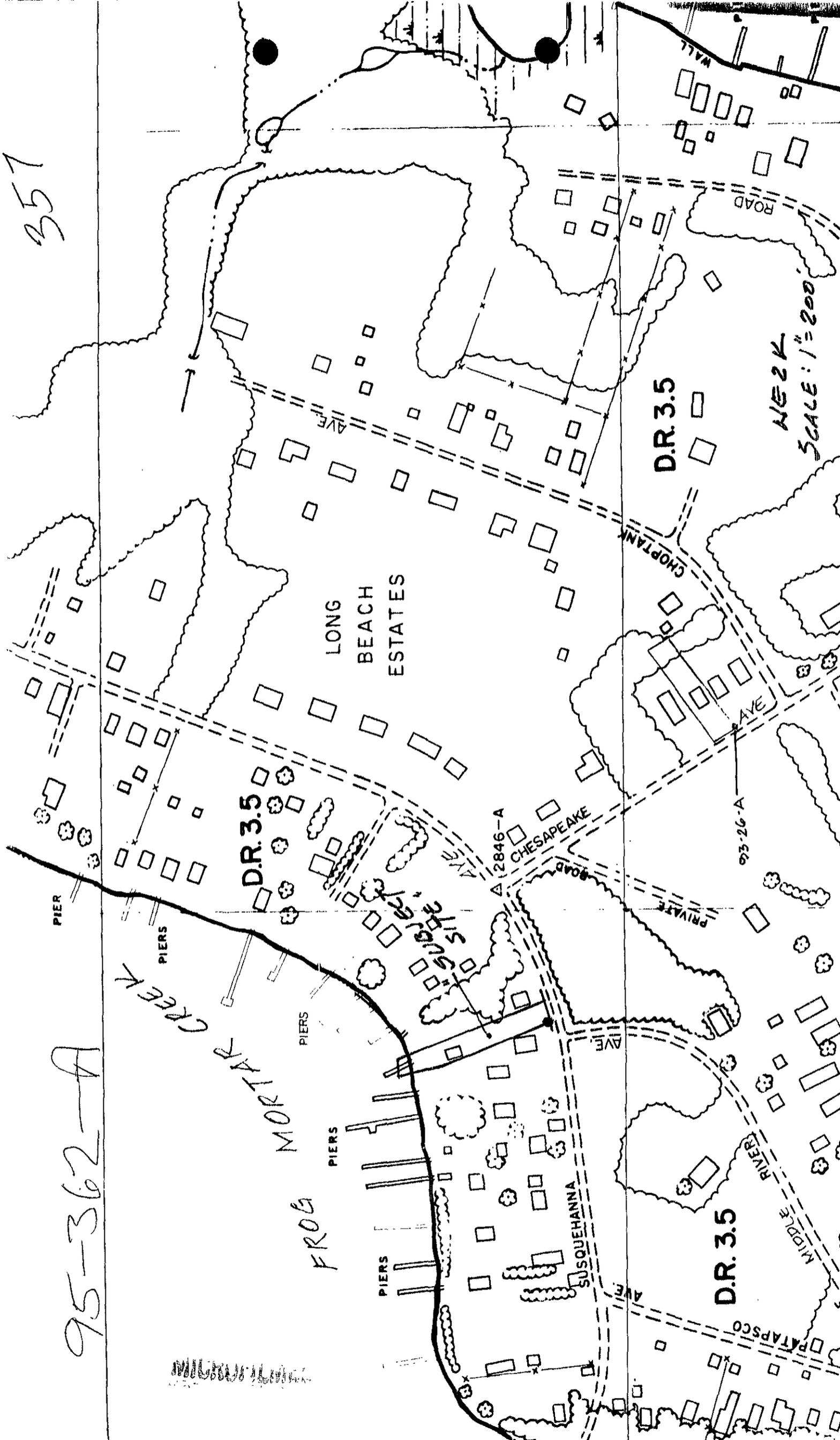
EAST VIEW

FROG
MORTAR
CREEK

MICROFILMED

357

95-362-A



D.R. 3.5

D.R. 3.5

D.R. 3.5

LONG BEACH ESTATES

MORTAR CREEK

PIER

PIERS

PIERS

PIERS

PIERS

2846-A

CHESAPEAKE

93-26-A

CHOPTANK

PRIVATE

MIDDLE RIVER

PATAPSCO

SCALE: 1"=200'

NE 2K

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 16, 1995

Ms. Nancy L. Trinley McKibbin
215 Susquehanna Avenue
Baltimore, Maryland 21220

RE: Item No.: 357
Case No.: 95-362-A
Petitioner: N. L. McKibbin

Dear Ms. McKibbin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 13, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: April 24, 1995

SUBJECT: 215 Susquehanna Avenue

INFORMATION:

Item Number: 357

Petitioner: Nancy L. Trinley McKibbin

Property Size: _____

Zoning: DR-3.5

Requested Action: Variance and Undersized Lot Approval

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant proposes to ^{CP}raze an existing dwelling and construct a new 2-story dwelling to be built in the same location. The original dwelling does not meet current setback requirements.

Based upon a review of the information provided as part of the undersized lot request, it appears to staff that the proposed dwelling would be compatible with other residences in close proximity to the applicant's lot.

Therefore, this office recommends that the Petitioner's Variance and Undersized Lot request be approved.

Prepared by: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

VARIANCE
ITEM# 357

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B _____
Permit Number

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

PAUL LEE EDGEK, INC. 304 W. PENNSYLVANIA AVE. (21204) 821-5941
Print Name of Applicant Address Telephone Number

Lot Address (#1208) 215 SUSQUEHANNA AVE. Election District 15 Council District 5 Square Foot 13,373 ±

Lot Location (NE S W) (side) corner of SUSQUEHANNA AVE., 15 feet from (N) S W corner of MIDDLE RIVER RD.
(street) (street)

Land Owner NANCY L. TRINLEY MCKIBBINS Tax Account Number 15-13-080110

Address (#1208) 215 SUSQUEHANNA AVE Telephone Number 335-8082
BALTIMORE, MD 21220

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning) PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	✓	—
2. Permit Application	—	✓
3. Site Plan		
Property (3 copies)	✓	—
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	✓	—
4. Building Elevation Drawings	✓	—
5. Photographs (please label all photos clearly)		
Adjoining Buildings	✓	—
Surrounding Neighborhood <u>PARTIAL</u>	✓	—

Residential Processing Fee Paid
Codes 030 & 080 (\$80)

Accepted by [Signature]
ZADM

Date 4/13/95

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

- Approval Disapproval Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Zoning

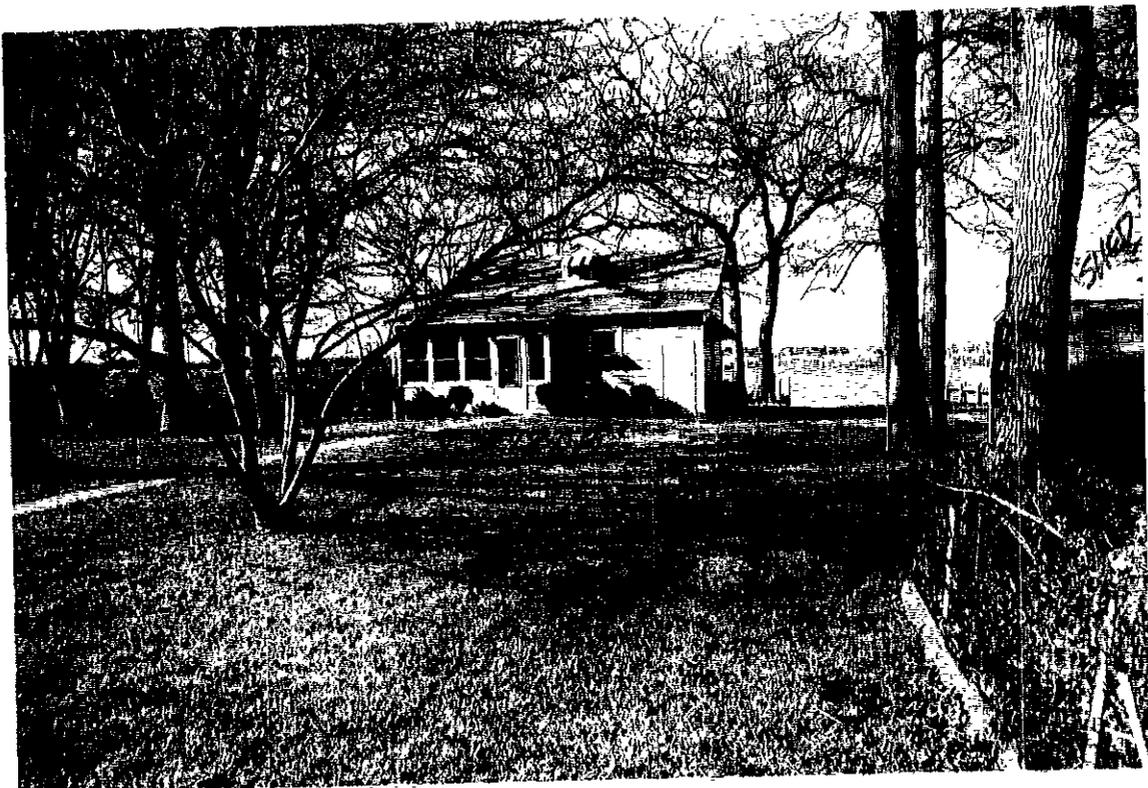
Date: _____



1210 -
from
street
1208, from
street,
1206 from
street.



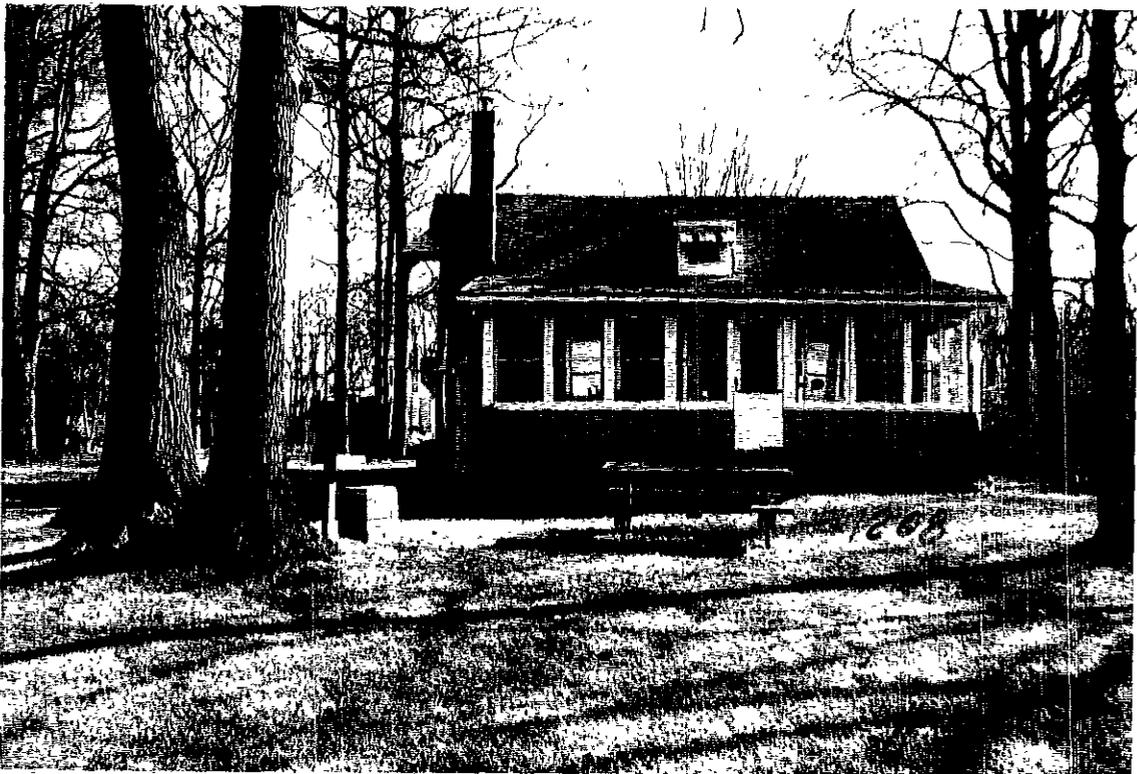
1208 +
1206 from
street.



1208 from
street.



1208 from water



1208 from water side



1208 + 1212 from water.

95-362-A



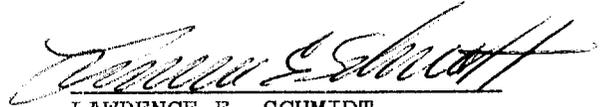
1208 +
1212 from
water.

MICROFILMS

reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Office of Planning and Zoning dated April 24, 1995; Department of Environmental Protection dated May 3, 1995; and Developers Engineering Section, dated May 4, 1995 are adopted in their entirety and made a part of this Order.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



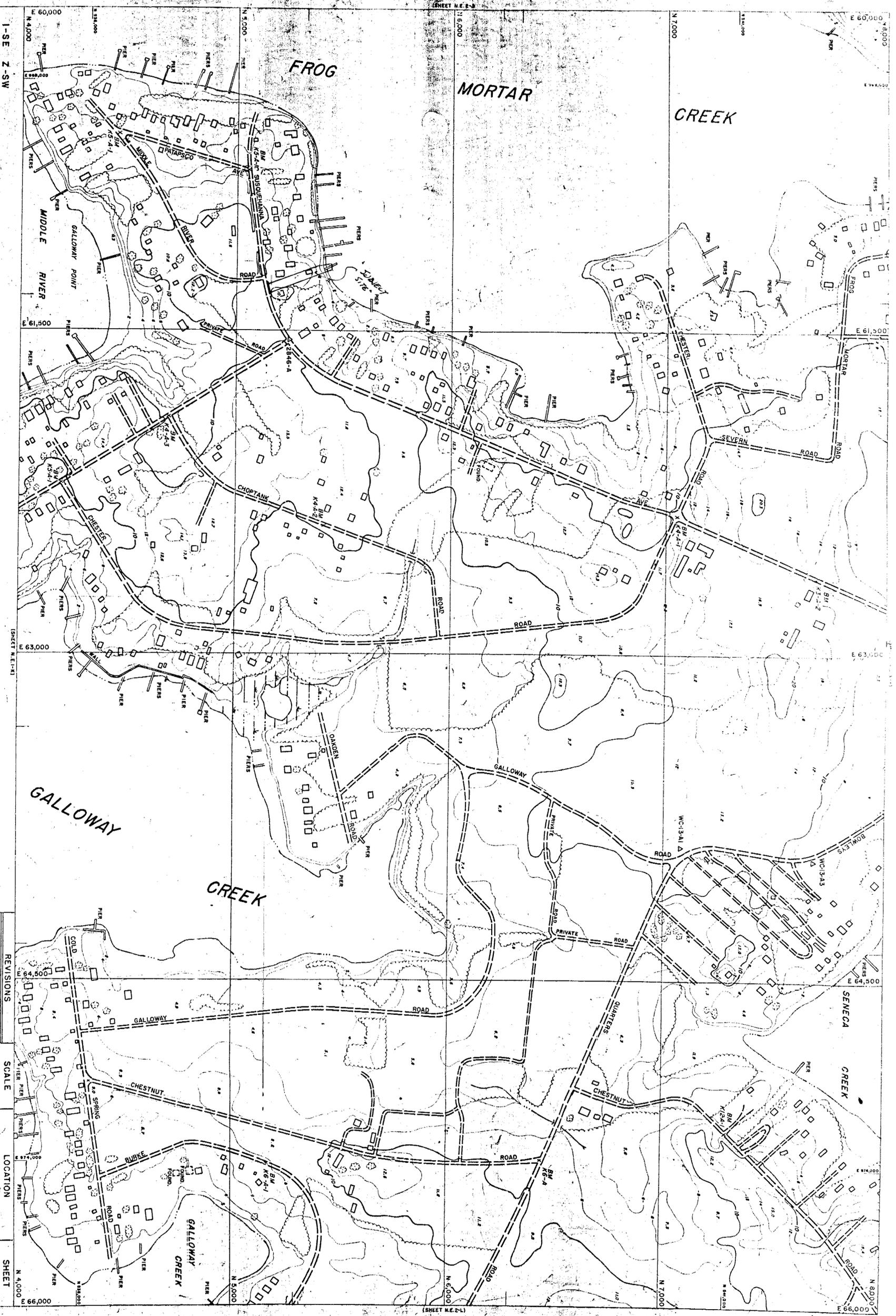
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/rmm

7/5/95
M. Shook

RECEIVED

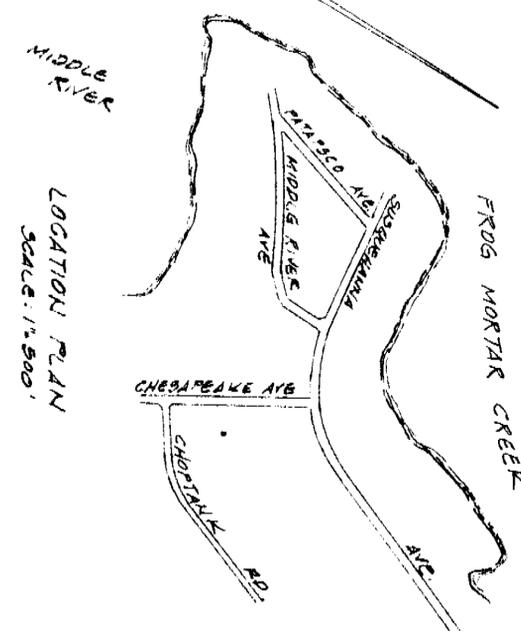
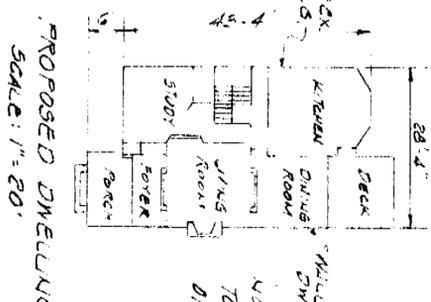
PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA



REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
		1" = 200'	BOWLEY'S QUARTERS #215 SUSQUEHANNA 2-K AVE	N.E. 2-K AVE
		DATE OF PHOTOGRAPHY DEC. 1954		
Topography Compiled by Photogrammetric Methods ABRAMS AERIAL SURVEY CORP LANSING MICH.				

95-362A

8.5 11 17 22



GENERAL NOTES

1. AREA OF PROPERTY = 0.307 AC. (GROSS = 0.322 AC. NET = 0.28 AC.)
2. EXISTING ZONING OF PROPERTY = "DR 3.5"
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED ZONING OF PROPERTY = "DR 3.5"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. EXIST IMPERVIOUS AREA =
 - A. EXIST. ST. PMS. (INCL. PORCHES) = 66452 - 48348 = 18104 S.F.
 - B. EXIST. WOOD DECK (75' x 10') = 750 S.F.
 - C. EXIST. WALK = 220.00 S.F.
 - D. EXIST. DRIVE (66452') TO BE POROUS STONE DRIVE
7. PROPERTY LOCATED IN CRITICAL AREA (FROG MORTAR CREEK)
8. EXISTING IMPERVIOUS AREA = 24% (NET 0.28) = 0.07 AC. = 3040 S.F.
9. EXISTING IMPERVIOUS AREA TO BE DEMED AND NEW DWG. CONSTRUCTED.
10. PROPOSED 2 STY. DWG. = 1092 S.F./FL. = 2184 S.F. TOTAL IMPERVIOUS AREA (NET EXIST.) = 2,184 S.F. + 273,253 S.F. = 245,037 S.F. PERMITTED IMPERVIOUS AREA = 304,956. PROP. IMPERVIOUS AREA = 245,037 S.F. PROPERTY SERVED BY PUBLIC WATER & PRIVATE SEWER.
11. PETITIONER REQUESTING A VARIANCE TO SECTION 1802.5(C) OF THE DCGR TO PERMIT A MIN. SIDE YARD OF 5' AND A TOTAL SIDE YARD OF 17' IN LIEU OF THE REQUIRED SIDE YARD OF 10' AND TOTAL SIDE YARD OF 25' (A YARD OF 5' AND 8') AND TO APPROVE AN UNDERSIZE LOT PURSUANT TO SECTION 1802.5(C) OF THE DCGR
12. PETITIONER REQUESTING A VARIANCE TO SECTION 1802.5(C) OF THE DCGR TO PERMIT A MIN. SIDE YARD OF 5' AND A TOTAL SIDE YARD OF 17' IN LIEU OF THE REQUIRED SIDE YARD OF 10' AND TOTAL SIDE YARD OF 25' (A YARD OF 5' AND 8') AND TO APPROVE AN UNDERSIZE LOT PURSUANT TO SECTION 1802.5(C) OF THE DCGR
13. LOT RECORDED ON PLAT OF "LONG BEECH ESTATES", W.P.C. 3-178, NOV. 1910.

95-362-A 357

PLAT TO ACCOMPANY PETITION FOR

VARIANCES

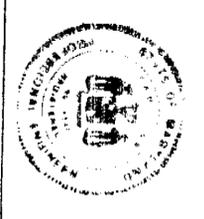
208 **SUSQUEHANNA AVENUE**

MICROFILMED

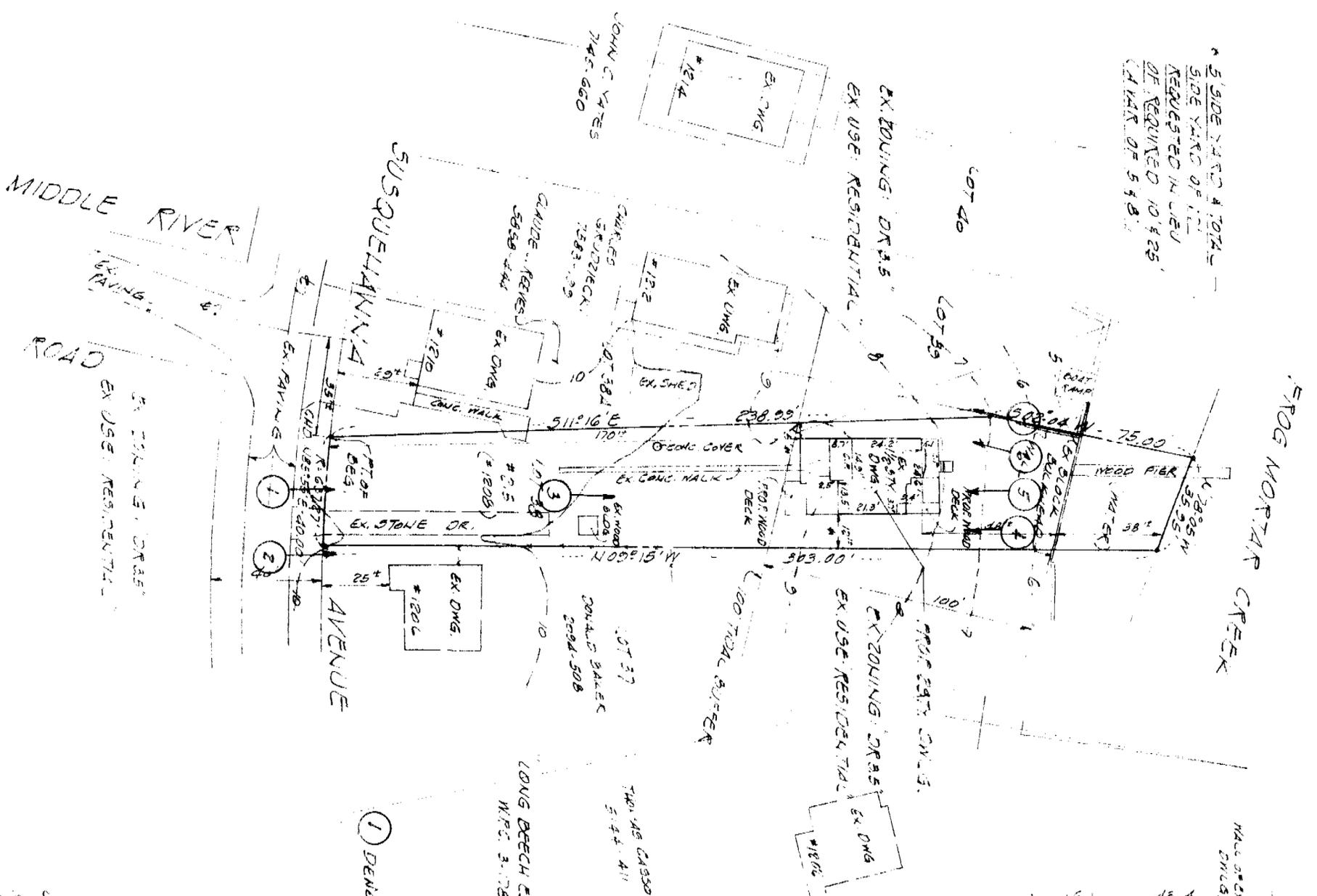
ELECT. DIST. 15 C 5 BALTIMORE COUNTY, MD.
SCALE: 1" = 30' FEB. 27, 1995

OWNER:
NANCY L. TRINLET MCKIBBINS
215 SUSQUEHANNA AVE.
BALTIMORE, MD. 21220
(DEED: 6572-338)

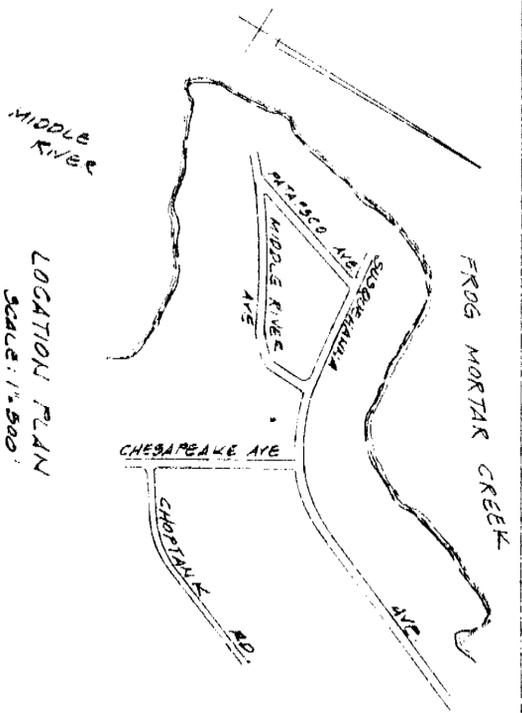
PAUL LEE ENGINEERING, INC.,
304 N. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21284



* 5' SIDE YARD TOTAL
SIDE YARD OF 10'
REQUIRED IN VIEW
OF REQUIRED 10' X 25'
CORNER OF 5' X 8'



NOTE: PROP DWELLING
TO BE SAME WIDTH
OF EXIST DWELLING



GENERAL NOTES

1. AREA OF PROPERTY = 0.307462 (GROSS) - 0.320461 (NET) = 0.28422
2. EXISTING CONING OF PROPERTY = "DR 35"
3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
4. PROPOSED CONING OF PROPERTY = "DR 35"
5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
6. EXIST IMPERVIOUS AREA = 155725.5 FT²
7. EXIST IMPERVIOUS AREA = 12840.5 FT²
8. EXIST WOOD PILES (NET) = 5325.3 FT²
9. EXIST WOOD PILES (GROSS) = 220.005 FT²
10. EXIST WALK = 220.005 FT²
11. PROPERTY LOCATED IN CRITICAL AREA (FROG MORTAR CREEK)
12. NET IMPERVIOUS AREA = 256,000 (NET) = 0.27462 = 30493H
13. EXISTING IMPERVIOUS AREA TO BE DEMOLISHED AND NEW DWG. CONSTRUCTED.
14. PROPOSED IMPERVIOUS AREA = 1002.5 FT² = 2184.9 FT²
15. TOTAL IMPERVIOUS AREA (NET) = 256,000 + 1002.5 = 257,002.5 FT²
16. NET IMPERVIOUS AREA = 256,000 FT² (NET IMPERVIOUS AREA = 243725.3 FT²)
17. PROPERTY SERVED BY PUBLIC WATER & PRIVATE SEWER.
18. PETITIONER REQUESTING A VARIANCE TO SECTION 1802.931 OF THE BCZR TO PERMIT A MIN. SIDE YARD OF 5' AND A TOTAL SIDE YARD OF 17' IN VIEW OF THE REQUIRED SIDE YARD OF 10' AND TOTAL SIDE YARD OF 25' (A YARD OF 5' AND 8') AND TO APPROVE AN UNDER-SIZE LOT PURSUANT TO SECTION 1802.931 OF THE BCZR.
19. LOT RECORDED ON PLAT OF 'LONG BEECH ESTATES', MAR. 3, 1910, NOV. 1910.

① DENOTES PHOTO LOCATIONS

VARIANCES

PLAT TO ACCOMPANY PETITION
FOR
VARIANCES
1208 SUSQUEHANNA AVENUE
ELECTOR DISTRICTS BALTIMORE COUNTY, MD.
SCALE: 1" = 30' MICROFILMED FEB. 27, 1995

OWNER:
NANCY L. TUNNEY MCKIBBIN
215 SUSQUEHANNA AVE.
BALTIMORE, MD. 21220
(DEED: 6572-338)

PAUL CEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204



J.O. 94-029

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Susquehanna Ave., 35 ft. * ZONING COMMISSIONER
E of c/j Middle River Road *
1208 Susquehanna Avenue * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District * Case No. 95-362-A
Gregory A. McKibbin, et ux *
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1208 Susquehanna Avenue, a water front property adjacent to Frog Mortar Creek in eastern Baltimore County. The Petition is filed by Gregory A. McKibbin and Nancy L. McKibbin, his wife, property owners. Variance relief is requested from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a minimum side yard of 5 ft. and a total side yard of 17 ft., in lieu of the required side yard of 10 ft., and a total side yard of 25 ft. Also requested is approval of an undersized lot and any variances which may be necessary in the discretion of the Zoning Commissioner for proposed construction. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the public hearing held for this case were the Petitioners/property owners, Gregory A. McKibbin and Nancy L. McKibbin, his wife. Appearing in support of the Petition was Paul Lee, the Engineer who prepared the site plan. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is a rectangularly shaped parcel known as lot No. 38, 215 Susquehanna Avenue in Middle River. The property is also known as No. 1208 Susquehanna Avenue.

The property is .307 acres in area and is zoned D.R.3.5. As is the case with much of the waterfront property in Baltimore County, this property was developed many years ago and the subdivision in which the site is located is quite old. The property is presently developed by an existing 1-1/2 story dwelling which is shown on both the site plan and in photographs submitted at the hearing. Access is also provided to Frog Mortar Creek by a wooden pier which extends from the water side of the property. The property also contains an existing stone driveway which leads from Susquehanna Avenue and a small wood shed.

Apparently, the house is quite old and in need of repair. The Petitioners propose razing the house and constructing a new dwelling in its place. The house will be located in the same area as the existing dwelling.

The Petitioners believe that the construction of the new dwelling will be an improvement to the site. I agree. Moreover, the Petitioners note that the lot is very narrow (approximately 40 ft.). Strict adherence to the regulations would permit a house of just 15 ft. in width. The area of the lot is sufficient in that same is very deep (303 ft.).

The Petition has been approved by the member agencies of the Zoning Plans Advisory Committee. The Office of Planning and Zoning (OPZ) recommends approval of the variance and notes that the elevation and architectural drawings submitted show that the proposed dwelling is compatible with other residences in the area. The Department of Environmental Protection and Resource Management (DEPRM) notes that it is their intent to grant the necessary variance from environmental regulations to allow this residential redevelopment. The plan has been amended to confirm the proposal to DEPRM's recommendations. The Developer's Engineering Division

has also reviewed the proposal and advises that any building must have an elevation of 1 ft. above the 100 year frequency tidal elevation, pursuant to Federal Flood Insurance Administration Standards. The Petitioners indicated that the issues raised by DEPRM and Developers Engineering Division would be satisfied.

Based on the testimony and evidence offered all of which was uncontradicted, I am persuaded to grant the Petition for Variance. Clearly, the Petitioners have met the test set forth in Section 307. The narrowness of the lot makes strict compliance with the regulations impossible. The Petitioners' proposal present an opportunity for a real upgrade to the site and the community. I concur with OPZ's assessment that the grant of the variance is appropriate. For these reasons, the Petition will be approved.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of July, 1995 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a minimum side yard of 5 ft. and a total side yard of 17 ft., in lieu of the required side yard of 10 ft., and a total side yard of 25 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance for the approval of an undersized lot, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Office of Planning and Zoning dated April 24, 1995; Department of Environmental Protection dated May 3, 1995; and Developers Engineering Section, dated May 4, 1995 are adopted in their entirety and made a part of this Order.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

ORDER RECORDED
D. 11/10/95
By: [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204 (410) 887-4386

July 5, 1995

Mr. and Mrs. Gregory L. McKibbin
1208 Susquehanna Avenue
Baltimore, Maryland 21220

RE: Case No. 95-362-A
Petition for Variance
Property: (215) 1208 Susquehanna Avenue

Dear Mr. and Mrs. McKibbin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mm
att.
cc: Mr. Paul Lee, 304 W. Pennsylvania Avenue, Towson, Md. 21204

357
Petition for Variance
75-362-A
to the Zoning Commissioner of Baltimore County
for the property located at (#1208) 215 Susquehanna Avenue
which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1 to permit a minimum side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet (A variance of 5 feet and 8 feet) and to approve an undersized lot, in accordance with the Baltimore County Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
Property located in critical area and on a lot recorded in Nov. 1910. Existing 1 1/2 story dwelling to be razed and a new 2 story dwelling will be built in the original location. Original dwelling location does not meet present setback requirements.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expense of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Engineer:
Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
TOWSON, MD 21204
Address for Petitioner:
1208 Susquehanna Avenue 335-8082
Baltimore MD 21220

Legal Counsel:
Nancy L. Trinley McKibbin
Gregory L. Trinley McKibbin
Nancy L. Trinley McKibbin

City: Baltimore State: MD

Printed with Soybean Ink on Recycled Paper

Paul Lee P.E.
Paul Lee Engineering, Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
410-821-5341

DESCRIPTION
#1208) #215 SUSQUEHANNA AVENUE
ELECTION DISTRICT 15C5 BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the north side of Susquehanna Avenue, said point also being located Easterly - 35 feet[±] from the intersection of the center of paving of Middle River Road and Susquehanna Avenue; thence binding on the north side of Susquehanna Avenue by a curve to the left with a (1) Radius of 637.27 feet with a chord bearing N 85°55' E - 40.00 feet, thence leaving said north side of Susquehanna Avenue (2) N 09°15' W - 303.00 feet to the waters of Frog Mortar Creek, thence running with said creek (3) N 78°05' W - 35.95 feet, thence (4) S 02°04' W - 75.00 feet and (5) S 11°16' E - 238.99 feet to the north side of Susquehanna Avenue and point of beginning.

Containing 0.307 Acres of land more or less.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 5/11/95
Posted for: Variance
Petitioner: Nancy L. Trinley McKibbin
Location of property: 1208 Susquehanna Ave, Md
Location of Signs: Property, on property being razed
Remarks:
Posted by: [Signature] Date of return: 5/12/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/28, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/27, 1995.

THE JEFFERSONIAN,
A. Henriksen
LEGAL AD. - TOWSON

receipt
95-362-A

Account 9001-6150
Number 357
By JLL

CRITICAL AREA

RES VAR FILING CODE 010 \$ 50.00
SIGN POSTING " " 080 \$ 35.00
TOTAL 85.00

4/13/95

McKIBBIN
215 SUSQUEHANNA AVE.

Please Make Check Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21284 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 357
Petitioner: Nancy McKibbin
Location: 215 Susquehanna Ave Baltimore, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:
NAME: Nancy McKibbin
ADDRESS: 215 Susquehanna Ave Baltimore MD 21220

PHONE NUMBER: 335-8082

AJ:ggg (Revised 04/09/93)

TO: POTTERY PUBLISHING COMPANY
April 21, 1995 Issue - Jeffersonian

Please forward billing to:
Nancy McKibbin
1208 Susquehanna Avenue
Baltimore, MD 21220
335-8082

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-362-A (Item 357)
1208 Susquehanna Avenue
N/S Susquehanna Avenue, 35' E of c/1 Middle River Road
15th Election District - 5th Councilmanic
Legal Owner: Nancy L. Trinley McKibbin
HEARING: TUESDAY, MAY 23, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a minimum side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet; to permit a variance from any section deemed necessary by the zoning commissioner; and to approve an undersized lot.

LAWRENCE E. SCHWEDY
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

April 21, 1995 NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-362-A (Item 357)
1208 Susquehanna Avenue
N/S Susquehanna Avenue, 35' E of c/1 Middle River Road
15th Election District - 5th Councilmanic
Legal Owner: Nancy L. Trinley McKibbin
HEARING: TUESDAY, MAY 23, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Variance to permit a minimum side yard of 5 feet and a total side yard of 17 feet in lieu of the required side yard of 10 feet and a total side yard of 25 feet; to permit a variance from any section deemed necessary by the zoning commissioner; and to approve an undersized lot.

Arnold Jablon
Arnold Jablon
Director

cc: Nancy L. Trinley McKibbin
Paul Lee

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

May 16, 1995

Ms. Nancy L. Trinley McKibbin
215 Susquehanna Avenue
Baltimore, Maryland 21220

RE: Item No.: 357
Case No.: 95-362-A
Petitioner: N. L. McKibbin

Dear Ms. McKibbin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 13, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 24, 1995

SUBJECT: 215 Susquehanna Avenue

INFORMATION:
Item Number: 357
Petitioner: Nancy L. Trinley McKibbin

Property Size:
Zoning: DR-3.5
Requested Action: Variance and Undersized Lot Approval
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The applicant proposes to ~~replace~~ an existing dwelling and construct a new 2-story dwelling to be built in the same location. The original dwelling does not meet current setback requirements.

Based upon a review of the information provided as part of the undersized lot request, it appears to staff that the proposed dwelling would be compatible with other residences in close proximity to the applicant's lot.

Therefore, this office recommends that the Petitioner's Variance and Undersized Lot request be approved.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Reed*
PK/JL

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

VARIANCE
ITEM# 357
B Permit Number

TO: Director, Office of Planning and Zoning
Attn: Erven McClanahan
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots
Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Zoning prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:
 PHILIP EDGE, INC 304 N PENNSYLVANIA AVE (CR206) 821-5941
 Lot Address: 215 SUSQUEHANNA AVE Election District 15 Council District 5 Square Feet 13,373
Lot Location: 304 N PENNSYLVANIA AVE NE. lot from MIDDLE RIVER RD Street

Lot Owner: NANCY L. TRINLEY MCKIBBIN Tax Account Number: 15-13-08010
Address: 215 SUSQUEHANNA AVE Telephone Number: 335-8082
BALTO-095, MD 21220

CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

	YES	NO
1. This Recommendation Form (3 copies)	✓	—
2. Permit Application	✓	—
3. Site Plan Property (3 copies) <small>1 copy Must accompany all the 3rd CAD (2 copies Green color site plan)</small>	✓	—
4. Building Elevation Drawings	✓	—
5. Photographs (unless noted all photos current) Adjoining Buildings Surrounding Neighborhood	✓ PARTIAL	—

RECOMMENDATION/COMMENTS:
 Approval Disapproval Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____ Date: _____
For the Director, Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management May 3, 1995

FROM: J. Lawrence Pilsbury
Development Coordinator, DEPRM

SUBJECT: Zoning Item #357 - McKibbin Property
215 Susquehanna Avenue
Zoning Advisory Committee Meeting of April 24, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

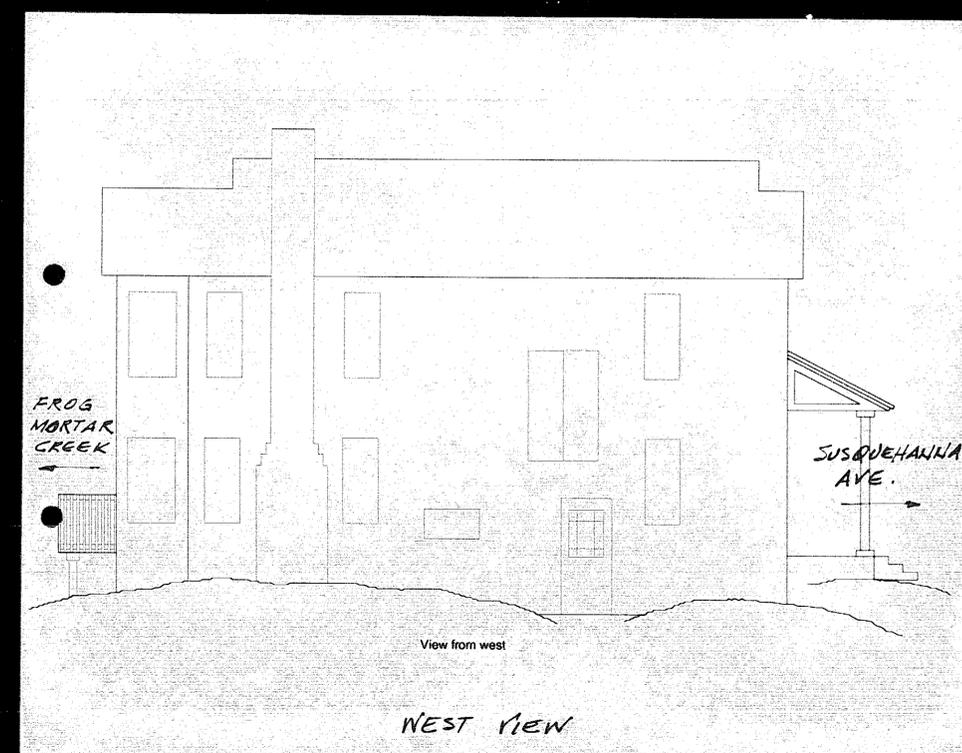
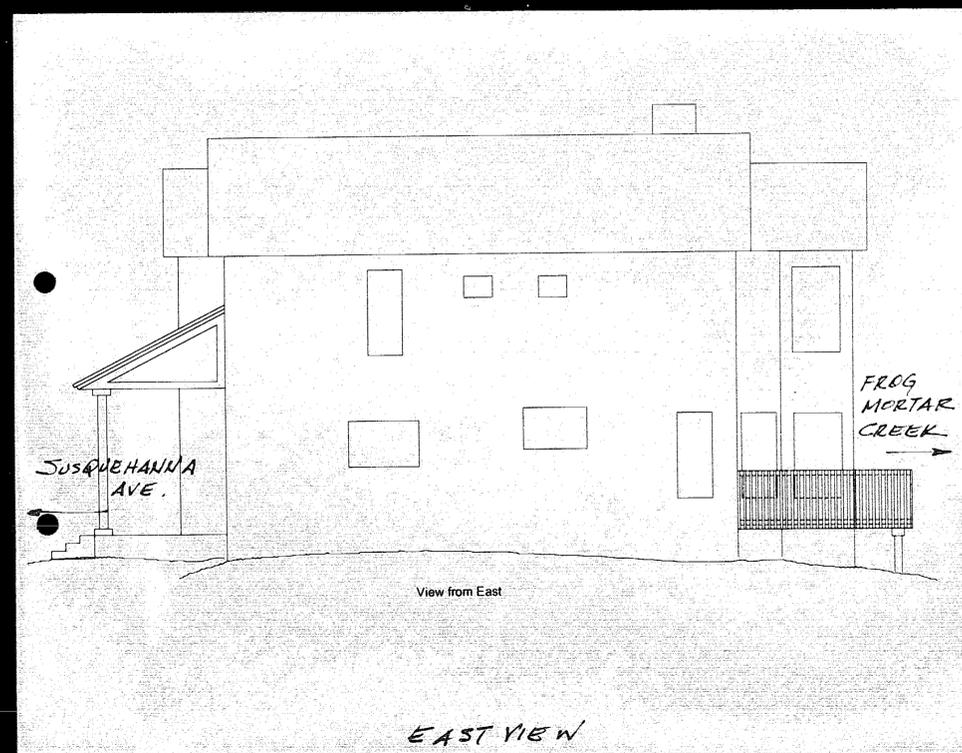
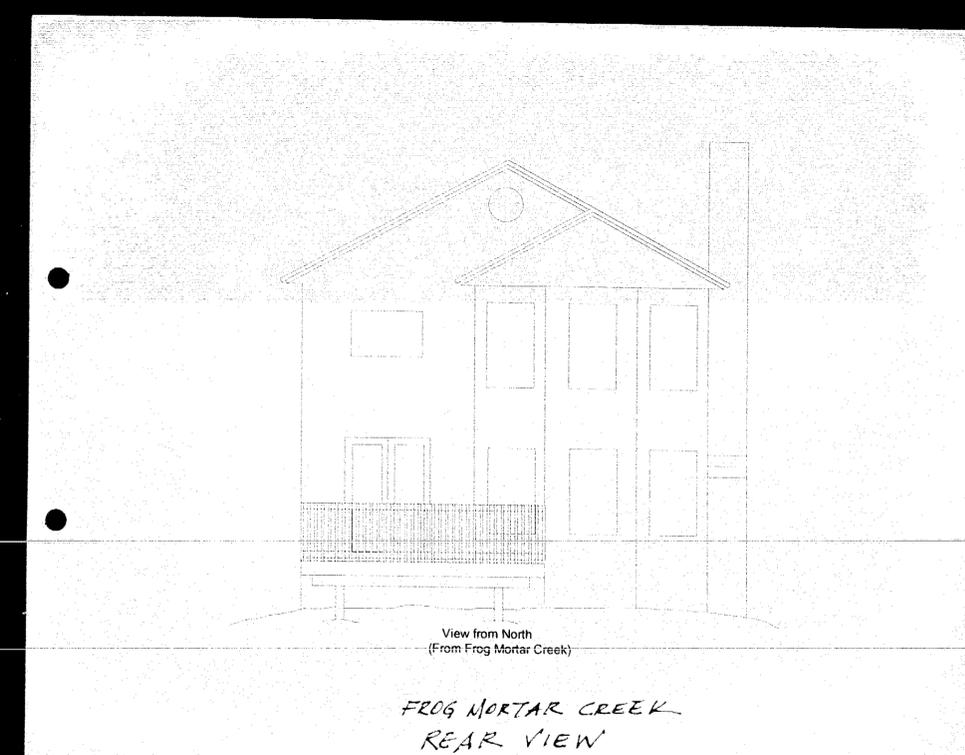
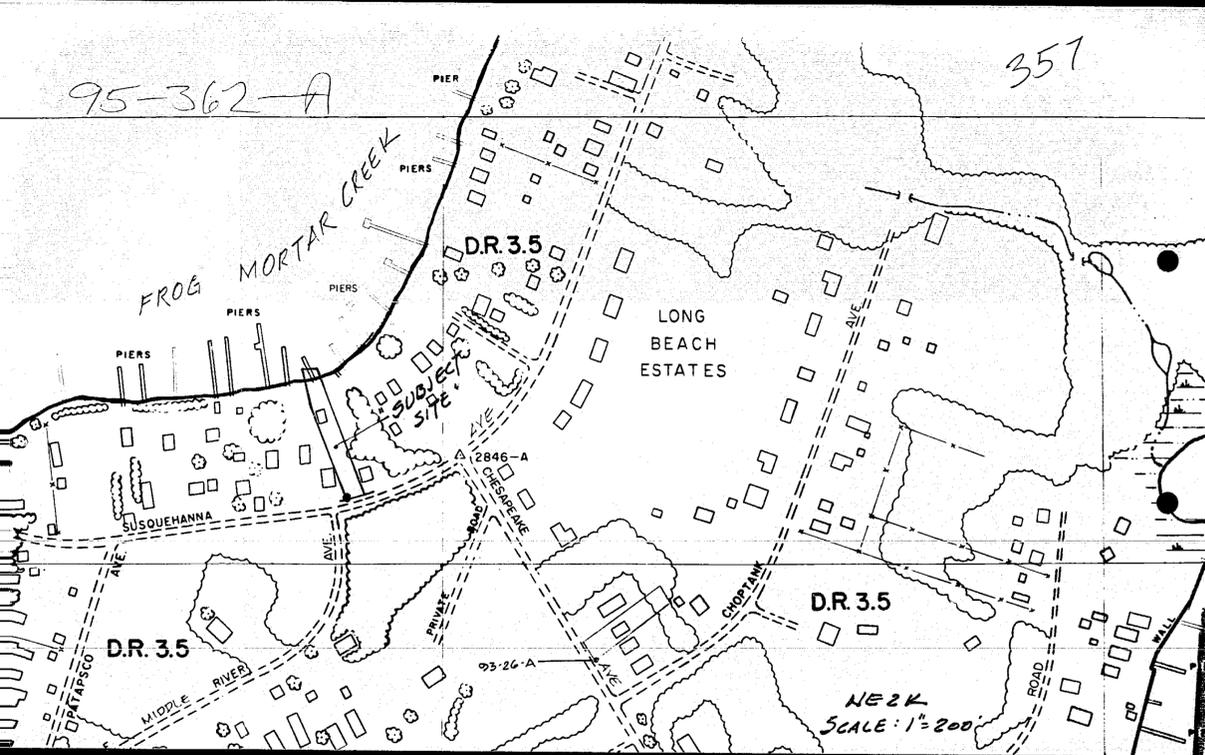
It is the intent of this Department to grant a variance to allow the proposed residential redevelopment within the 100 foot shoreline buffer. The plot plan to accompany the future permit application must reflect all conditions placed on the development in accordance with said variance.

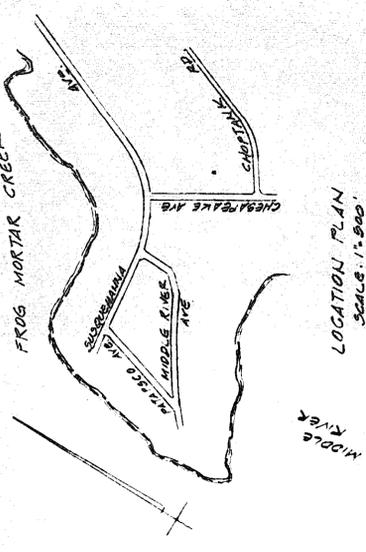
Ground Water Management

Approval for replacement of 2 story house to be made by Ground Water Management predicated on the following conditions:

1. Replace new septic system consisting of:
- 1500 gallon top seam concrete septic tank;
- distribution box;
- shallow tile field consisting of 2 - 65' long, 3' wide, 42" deep trenches;
- sufficient fill to be placed over tile field to divert stormwater during rain event.
2. Existing septic tank, dry well and dug well to be backfilled and abandoned.
3. Install pressure reduction valve on public water service connection with maximum operating pressure of 60 p.s.i.
4. Water service line to be sleeved at any point within 50' of drain field.

JLP:PF:RP:sp
MCKIBBIN/DEPRM/TXTSBD



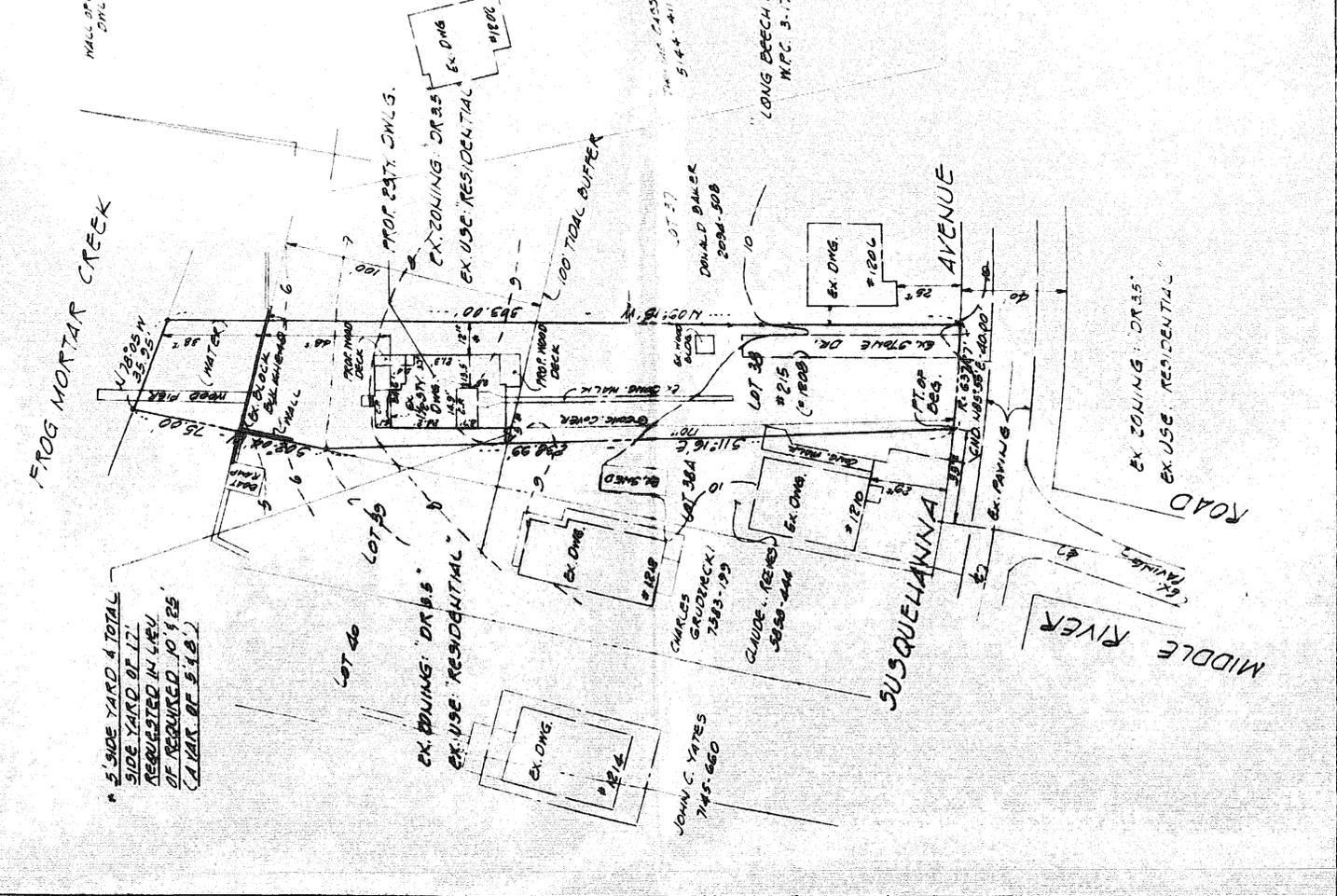
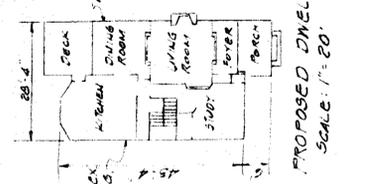


- GENERAL NOTES**
1. AREA OF PROPERTY = 3,907.46' (GROSS + 0.32646' X NET = 0.2846')
 2. EXISTING ZONING OF PROPERTY = "DR 3.5"
 3. EXISTING USE OF PROPERTY = "RESIDENTIAL"
 4. PROPOSED ZONING OF PROPERTY = "DR 3.5"
 5. PROPOSED USE OF PROPERTY = "RESIDENTIAL"
 6. EXIST IMPERVIOUS AREA = 1,597.25 SF
 7. EXIST 1/2 ST. DMS (INCL BRANCHES) = 6,615.0 + 4,948 = 11,563.0 SF
 8. EXIST 1/4 ST. DMS (78' X 71') = 5,325.3 SF
 9. EXIST WALK = 220.00 SF
 10. EXIST DRIVE (664.5') TO BE REMOVED STONE DRIVE
 11. PROPERTY LOCATED IN CRITICAL AREA (FROG MORTAR CREEK)
 12. PERMITTED IMPERVIOUS AREA = 3,049.54' FOR IMPERVIOUS AREA = 2,457.25 SF
 13. EXISTING 1/2 ST. DMS TO BE RAISED AND NEW DMS CONSTRUCTED
 14. PROPOSED 2 ST. DMS = 1,006.57' X 5,184.57'
 15. TOTAL IMPERVIOUS AREA (NEW EXIST) = 2,184.57' + 2,732.94' = 4,917.51 SF
 16. PERMITTED IMPERVIOUS AREA = 3,049.54' FOR IMPERVIOUS AREA = 2,457.25 SF
 17. PROPERTY SERVED BY PUBLIC WATER & PRIVATE SEWER
 18. PETITIONER REQUESTING A VARIANCE TO SECTION 1802.3(C) OF THE BCZR TO PERMIT A 1/4" SIDE YARD OF 5' AND A TOTAL SIDE YARD OF 17' (1/4" LEU OF THE REQUIRED SIDE YARD OF 10' AND TOTAL SIDE YARD OF 25' (1/4" LEU OF 9' AND 8')) AND TO APPROVE AN UNDER-SIZE LOT PURSUANT TO SECTION 1802.3(C) OF THE BCZR
 19. LOT RECORDED ON PLAT OF "LONG BEECH ESTATES", M.F.C. 3-178, NOV. 1910.

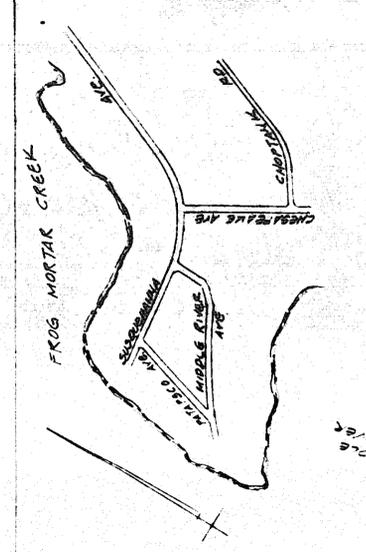
95-362-A 357

PLAT TO ACCOMPANY PETITION
VARIANCES
2,908' OF SUSQUEHANNA AVENUE
 ELECT. DIST. 15C5 BALTIMORE COUNTY, MD.
 SCALE: 1"=30'

PAUL LEE ENGINEERING INC.,
 304 N. PENNSYLVANIA AVE
 TOWSON, MARYLAND 21284



DRAWN BY
 SANCY L. TRINLEY MCKIBBINS
 215 SUSQUEHANNA AVE.
 BALTIMORE, MD. 21220
 (DEED: 6872-338)

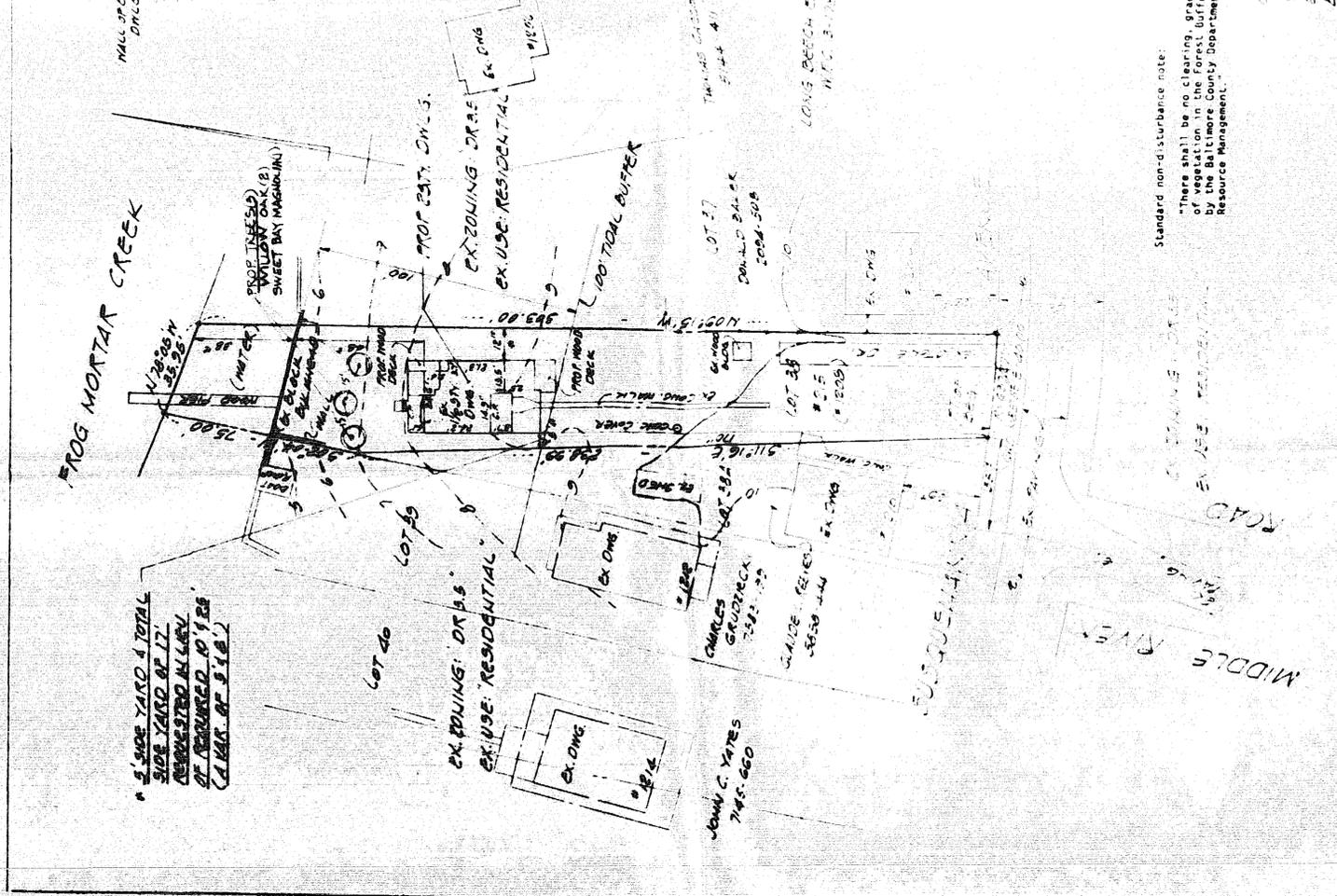


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Standard non-disturbance note:
 "There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Reserve except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

